

ENTERED

March 03, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

WEST AFRICAN VENTURES LIMITED
and SEA TRUCKS GROUP FZE,

Plaintiffs,

V.

NED M. FLEMING, III, CRAIG
JENNINGS, and SUNTX CAPITAL II
MANAGEMENT CORP.,

Defendants.

CIVIL ACTION NO. H-21-4124

FINAL JUDGMENT

In accordance with its memorandum opinion, the court declares and orders that SunTx Capital II Management Corp., as the general partner of SunTx Capital Partners II, GP, L.P., is jointly and severally liable for the Final Judgment issued on March 12, 2020, in the Underlying Lawsuit, *W. Afr. Ventures Ltd. v. Ranger Offshore, Inc.*, No. 4:17-cv-548, Docket Entry No. 139 (S.D. Tex.), *aff'd sub nom. W. Afr. Ventures Ltd. v. SunTx Cap. Partners II GP, L.P.*, 841 F. App'x 705 (5th Cir. 2021).

Consistent with the relief ordered in the Final Judgment in No. 4:17-cv-548, final judgment is entered in this civil action, No. 4:21-cv-4124, as follows:

1. West African Ventures Limited recovers from SunTx Capital II Management Corp. the sum of \$730,372 for actual damages related to the Shell Project included in the Final Judgment.
2. West African Ventures Limited recovers from SunTx Capital II Management Corp. the sum of \$29,876,533 for actual damages related to the Conoil Project included in the Final Judgment.
3. Sea Trucks Group FZE is recovers from SunTx Capital II Management Corp. the sum of \$1,300,404 for actual damages related to the Shell Project included in the Final Judgment.

4. Sea Trucks Group FZE is entitled to recover from SunTx Capital II Management Corp. the sum of \$4,774,599 for actual damages related to the Conoil Project included in the Final Judgment.

5. West African Ventures Limited recovers from SunTx Capital II Management Corp. prejudgment interest on its actual damages with respect to the Shell Project, at the rate of 5% per annum from January 23, 2019, to February 4, 2020, in the amount of \$37,813, and included in the Final Judgment.

6. West African Ventures Limited recovers from SunTx Capital II Management Corp. prejudgment interest on its actual damages with respect to the Conoil Project, at the rate of 5% per annum from January 23, 2019, to February 4, 2020, in the amount of \$1,546,768, and included in the Final Judgment.

7. Sea Trucks Group FZE recovers from SunTx Capital II Management Corp. prejudgment interest on its actual damages with respect to the Shell Project, at the rate of 5% per annum from January 23, 2019, to February 4, 2020, in the amount of \$67,324, and included in the Final Judgment.

8. Sea Trucks Group FZE recovers from SunTx Capital II Management Corp. prejudgment interest on its actual damages with respect to the Conoil Project, at the rate of 5% per annum from January 23, 2019, to February 4, 2020, in the amount of \$247,190, and included in the Final Judgment.

9. West African Ventures Limited recovers from SunTx Capital II Management Corp. postjudgment interest on its damages included in the Final Judgment with respect to the Shell Project, at the rate of 1.5% per annum beginning on February 5, 2020, until paid, in the amount of \$29.95 per day.

10. West African Ventures Limited recovers from SunTx Capital II Management Corp. postjudgment interest on its damages included in the Final Judgment with respect to the Conoil Project, at the rate of 1.5% per annum beginning on February 5, 2020, until paid, in the amount of \$1,224.94 per day.

11. Sea Trucks Group FZE recovers from SunTx Capital II Management Corp. postjudgment interest on its damages included in the Final Judgment with respect to the Shell Project, at the rate of 1.5% per annum beginning on February 5, 2020, until paid, in the amount of \$53.32 per day.

12. Sea Trucks Group FZE recovers from SunTx Capital II Management Corp. postjudgment interest on its damages included in the Final Judgment with respect to the Conoil Project, at the rate of 1.5% per annum beginning on February 5, 2020, until paid, in the amount of \$195.76 per day.

13. West African Ventures Limited recovers from SunTx Capital II Management Corp. attorneys' fees in the amount of \$391,652.02, the amount that has already been found to be reasonable, necessary, and recoverable in the Final Judgment, and recoverable costs in the amount of \$33,967.63, which represents 84% of the attorneys' fees and costs jointly incurred by West African Ventures Limited and Sea Trucks Group FZE for the prosecution of their claims in the Underlying Lawsuit.

14. Sea Trucks Group FZE recovers from SunTx Capital II Management Corp. attorneys' fees in the amount of \$74,600.38, the amount that has already been found to be reasonable, necessary, and recoverable in the Final Judgment, and recoverable costs in the amount of \$6,470.03, which represents 16% of the attorneys' fees and costs jointly incurred by West

African Ventures Limited and Sea Trucks Group FZE for the prosecution of their claims in the Underlying Lawsuit.

15. West African Ventures Limited recovers from SunTx Capital II Management Corp. the amount of \$60,000 to reimburse it for its attorney's fees and expenses reasonably incurred in connection with defending against the unsuccessful appeal to the Fifth Circuit filed by SunTx Capital Partners II GP, LP.

16. Sea Trucks Group FZE recovers from SunTx Capital II Management Corp. the amount of \$60,000 to reimburse it for its attorney's fees and expenses reasonably incurred in connection with defending against the unsuccessful appeal to the Fifth Circuit filed by SunTx Capital Partners II GP, LP.

The plaintiffs' claims against the defendants are otherwise dismissed with prejudice. Each party is to bear its own costs and fees.¹

SIGNED on March 3, 2023, at Houston, Texas.



Lee H. Rosenthal
United States District Judge

¹ SunTx Capital II Management Corp. is jointly and severally liable for the costs and fees set out in the numbered paragraphs.